1: Longrigg G-4, 5 (ca. 1915-1940) MH1 Iraq MH1

capricious rancours and favouritisms before that; all could find in crude xenophobia a popular applauded attitude. None could count on any security of tenure of their post; a term of office of two or three years was exceptional. Flagrant personal dishonesty was rarer among the highest officials than it had been a generation before, but was still familiar enough and viewed with tolerance. The use of generals as civil governors increased after 1908.

Typical of the better high officials were the loyal and just Ṭahir Pasha, Wali of Mosul in 1910: 'Awnullah Bey, Mutaṣarrif of Kirkuk from 1910 to 1913, still quoted as the ideal of virile governors: 'Ali Ridhā Bey, competent commander and cordial friend of Lorimer, who acted as Wali of Baghdad in 1912: Jalal Pasha graduated from Mutaṣarrif of Karbalā to be Wali of Baṣra, and reappeared, morose and disillusioned, as Wali of Baghdad in 1913. Ḥamdi Pasha, at Baṣra in 1900, was an honest and vigorous admiral. His successor Fakhri Pasha was reputed to sew up his criminals in sacks and consign them to the Shaṭṭ. 'Arif Bey Mardini, at Baṣra in 1909, with his modern home life and English nurse for his children, surprised all by his incorruptibility. Sulayman Naṣif Bey, Wali of Baṣra in 1909, arrived, as did most newcomers, full of schemes of improvement. The rabidly patriotic Jamal Pasha, Wali of Baghdad in 1911–12, left to become Military Governor of Istanbul and later to be notorious in Syria. Ḥazim Bey, in Baghdad in 1907, installed Baghdad's first water-supply system. Jawad Pasha, the last Wali of Baghdad before the war, was remembered as the first to use a motor-car of his own. 'Umar Luṭfi Pasha, assistant Wali under Nadhim Pasha, was known as the worried chairman of a score of committees and inquiries. Such are but a random few of the Pashas[1] of whom some more than average merit or quality is recalled. Good representatives of the older school were Zaki Pasha, G.O.C. and Wali in 1912–13 and, more notably, Muḥammad Fadhil Pasha Daghistani, the Grand Old Man of Turkish 'Iraq, chivalrous and stone-deaf, who acted as Wali in the intervals of commanding the Army, and led a score of expeditions against the recalcitrant. Very different were the aged Faydhi Pasha, Wali and G.O.C. in 1902–4, and famous for his corruption: 'Abd al-Wahhab Pasha the Albanian, Wali of Baghdad in 1905 and the terror of foreigners and their consuls:

[1] The twentieth-century Walis of Baghdad were: Namiq Pasha, 1898–1902: Aḥmad Faydhi Pasha, 1902–4: 'Abd al-Wahhab Pasha, 1904: 'Abd al-Majid Bey, 1905: Ḥazim Bey, 1907: Nadhim Pasha (acting), 1907: Najm al-Din Bey, 1908: Gen. Muḥammad Shawkat Pasha, 1909: Gen. Ḥusayn Nadhim Pasha, 1910–11: Yusif Pasha (acting), 1911: Jamal Pasha, 1911–12: Muḥammad Zaki Pasha, 1912: Gen. Ḥusayn Jalal Bey, 1913: Gen. Javid (Jawad) Pasha, 1914: Dr. Rashid Bey, 1915: Sulayman Nadhif Bey, 1915: and thereafter the G.O.C. 6th Army. Others, notably Muḥammad Fadhil Pasha Daghistani, acted for short periods as Wali.

1: Longrigg G-4, 5 (ca. 1915-1940) MH1 Iraq MH1

and Muṣṭafā Pasha, brother of 'Izzat Pasha the Sultan's hated secretary, who was cast out from Mosul in 1909 by the incoming C.U.P.

But the outstanding figure of these years was Ḥusayn Nadhim Pasha, a military commander of great prestige with a history of ill-treatment by Sultan 'Abd al-Ḥamid. He was appointed in April 1910 as G.O.C. and Wali of Baghdad with powers of supervision over the other wilayas. He overhauled his vast body of officials, concentrated his troops for intensive training, collected revenue from some wayward tribes, and made indulgent terms with others. He held durbars, patronized education, was reasonably just to the minorities, took flood protection in hand, ordered river craft for town ferries and for an abortive Euphrates service, and pressed on the demolitions for a new thoroughfare in Baghdad. He possessed integrity and resolution: his weaknesses were an excessive desire for apparent modernity, a lack of preparation for his grandiose schemes, too little sense of financial orthodoxy or private rights (especially of foreigners), and easy surrender to bad advisers. His recall to Istanbul in February 1911, due to C.U.P. intrigues fed by Baghdadi tale-bearers, allowed him less than a year of rule in 'Iraq. Mass demonstrations accompanied his departure from Baghdad; and his political murder at the capital in 1913 by Enver's party aroused strong sympathy for him in his old province.

3. TOWN AND TRIBE

With the survival after 1900 of many backward features in the town life of 'Iraq, the first fifteen years of the century nevertheless showed certain progress: a progress quickened by the influence of increased foreign trade, more visitors from without and more foreign residents, an expanded press and political life.

The gulf fixed between the main Muslim communities grew rather wider than narrower in the changing times, since their reaction to the insistent call for Turkish centralization must be different. Sunni and Shi'i found little common ground, Kurd and Arab no more. The Yazidis fiercely resisted conscription: the Turkomans regretted 'Abd al-Ḥamid. The priest-ridden communities of Persians in the Holy Cities drew no nearer to the main public of the country. The Mujtahids continued to reject temporal government whether of Sultan or of Committee, and to embarrass the British Resident by their attitude of greedy non-cooperation over the Oudh Bequest funds. Their presence and abused privileges were never more intolerable to the Turkish rulers than in this period, nor were they themselves ever more active in meetings, intrigues, and pronouncements. Rejecting the would-be moderating approaches of the British Resident, they bombarded

1: Longrigg G-4, 5 (ca. 1915-1940) MH1 Iraq MH1

The railways when at their greatest extent they were handed over by the Army in April 1920, consisted of nearly 1,000 miles of track.[1] The absorption into the 'Iraq economy of this rapidly constructed and ill-equipped system, with its decrepit engines and rolling-stock and an alignment designed to serve military purposes, was to be no easy task. The Director in 1919–20 was Colonel G. Lubbock. The labour which the Railway used was, at this stage, almost entirely Indian.

The financial procedures for handing over to a Civil Administration the capital works constructed from Army funds were the subject of a mission sent to 'Iraq under Sir John Hewitt; the assets were valued at £2 million, excluding the Railway, and had mostly taken forms unrelated to civilian needs. The giant river fleet of the (military) Inland Water Transport, on the other hand, was never transferred to the Administration nor were its units sold locally by auction, as was the great mass of unneeded military stores. They were instead, amid storms of protest from the Civil Commissioner and 'Iraqi and British commercial interests, disposed of at Bombay by Lord Inchcape on behalf of the British Government. The civilian Tigris fleet was thereafter by degrees reduced to its pre-war scale. The Lynch (Euphrates and Tigris) Company had lost the *Julnar* and some minor craft, but in 1920 acquired the imposing *Zenobia* and *Zobaida* (both built in 1916), modernized its equipment and installations, and retained in operation the veteran *Blosse Lynch*, *Khalifa*, *Mejidieh*, and the *Malamir* from their pre-war Karun service. The Lynch management of the E.T.S.N. Company's fleet was after 1919 merged in a fusion of their interests with those of Messrs. Gray Mackenzie & Co., forming the Mesopotamia–Persia Corporation—'Mespers'—at Baghdad and Baṣra. Local competition on the river was no longer Government-organized, and most of the pre-war vessels had disappeared;[2] but it still handled an appreciable share of the traffic.

In the provincial Government, a close approximation to the Turkish administrative units was retained. The Division represented usually the former sanjaq or liwā, and the District the qaḍhā, while the naḥiyas were little changed. The sixteen Divisions

[1] The mileages of metre-gauge line were: Baghdad–Baṣra 352 miles, Baghdad–Persian frontier 130, Baghdad–Kut 158, Zubayr–Jabal Sanam 23, Ur–Naṣiriya 10, Qaraghan (on the Khaniqin line) to Kinqarban (outside Kifri) 23, with 36 miles in the port area of Baṣra and Ma'qil. The standard-gauge line, Baghdad–Sharqat, was of 186 miles; the narrow-gauge, Baghdad–Kifl 21, and Baghdad–Faluja 38.

[2] The *Baghdadi*, Asfar's *Étoile de l'Orient*, the *Furat*, the *Risafa*, and a number of German-owned launches of the Société de Transports Fluviaux, had been sunk by the Turks to block waterways and impede British operations. The *Basra* was sent to Europe but did not get farther than Malta. The *Barhaniya* and *Hamidiya* were blown up by the Turks to avoid capture. The *Baghdad* reached Mosul—the first steamer to do so—and was there captured by the British.

1: Longrigg G-4, 5 (ca. 1915-1940) MH1 Iraq MH1

in 1919 were those of 'Amara, Baghdad, Ba'quba, Baṣra, Dayr al-Zur, Diwaniya, Dulaym, Ḥilla (including Karbalā), Khaniqin, Kirkuk, Kut al-Amara, Mosul, Muntafiq, Samarrā, Shamiya (including Najf), Sulaymaniya. Of these, Dayr was soon to pass from 'Iraqi to Syrian keeping, Khaniqin and Ba'quba were later to form a single liwā, Kut was to lose its divisional status (but to regain it in 1922), Shamiya to be degraded into a district of Diwaniya, and Samarrā into one of Baghdad; but Karbalā with Najf was later to form a separate Division, as was Arbil. Each Division was the command of a Political Officer, and within it under his Assistants were grouped two or more districts, within which the familiar naḥiyas under 'Iraqi Mudirs preserved the routine and nomenclature of their predecessors. At Divisional headquarters the formation of nominated advisory Divisional Councils of notables and officials, under the Political Officer's chairmanship, was a step taken in early post-war days. It intended to associate the public, to some formal and limited extent, with the Administration; but the Councils, however well chosen, were too powerless to be of effective service, and did not survive the stormy days of 1920. The Political Officer represented the authority of the Civil Commissioner (indeed, that of His Majesty's Government itself) and controlled all departments. His powers—administrative, financial, and judicial—were delegated in a suitable measure to his Assistants in districts, whose primary functions were to keep the peace, to know and to handle the tribes, and to collect the revenues.

The merits and shortcomings of this improvised Administration form a study of some interest. To an unusual extent its tone was determined by the high-minded, dominating character of A. T. Wilson, which imposed itself upon the small body of officers who essayed to carry out his policy: a policy of forthright, efficient, paternal Government in the interest of the masses—and especially of the tribesmen—but unsympathetic to local politics or nationalist aspirations. The problem created for his Administration by post-war demobilization and the claims of other services was solved by retaining some but not all of his best officers, and borrowing others from other Arabic-speaking territories, or from regiments leaving 'Iraq. The resulting standard, while not unmixed with inferior elements, was generally high in energy, personal integrity, and good intentions. The complexities of their tasks, and the deeper currents of opposition which developed, were commonly underrated—often with immediately tragic results—by these light-hearted amateur administrators, and even by the few experienced veterans eminent among them. The day-by-day attitude of the Administration was neither illiberal nor repressive, the establishment of cordial relations between governor and governed was

1: Longrigg G-4, 5 (ca. 1915-1940) MH1 Iraq MH1

645 Education was entrusted to a learned Shi'i politician, Muḥammad Ridhā al-Shabibi, and Awqaf to a venerable ex-Shaykh al-Islam lately returned from Istanbul, Ibrahim Effendi al-Ḥaydari. The Prime Minister held the portfolio of Defence, and with it that of a new Ministry which he created as a timely gesture, that of Foreign Affairs. Nuri Pasha Sa'id became deputy Commander-in-Chief of the Army, of which the King was titular head.

648* The British Government submitted to the Council of the League on 17 July an Instrument embodying the terms of all the documents now ratified as between itself and 'Iraq. This was adopted on 27 September 1924, in terms which provided for the submission of an annual Report by Great Britain to the Council on its 'Iraq trusteeship: for the assumption by His Majesty's Government of full responsibility for the carrying out of the Treaty: and for abstention from all modification of it by the British or by 'Iraq without League of Nations consent. The Treaty was ratified by King George on 10 November, and by King Faysal on 12 December 1924.

5. THE MOSUL SETTLEMENT

635 In the liwā of Sulaymaniya, far from the stresses of Baghdad State-building, the régime of 'Kurdish Government' under Shaykh Maḥmud, which had ruined the countryside and depopulated the town, was by the spring of 1924 drawing to its close. The Chamchamal and Ḥalabja qadhās, now loosely administered from Kirkuk, elected to the Constituent Assembly deputies who included Shaykh Maḥmud's own brother; but the Shaykh himself, after ignoring one more ultimatum and a warning of impending punishment—the warning which was invariably given, on humanitarian grounds, to the people of all villages where as a last resort bombing was to take place—was visited by aircraft of the Royal Air Force in May 1924 and was finally evicted from the town. Sulaymaniya was entered in July by ground troops, cavalry of the 'Iraq Army, and a force of Levies. The administration was thenceforward assumed by the 'Iraq Government, which provided funds to remedy the miserable conditions prevailing. The population of the almost uninhabited city could return with infinite relief to their homes, and by the end of the year had increased to 20,000. Shaykh Maḥmud, skulking in the mountain villages and crossing to and from Persian territory, maintained the hunted existence of a bandit.

563 721 On the northern frontier the re-establishment in their old mountain homes of some thousands of returning Assyrians was to lead to trouble after two years of peaceful resettlement. The district concerned lay just north of the old wilaya frontier, but

1: Longrigg G-4, 5 (ca. 1915-1940) MH1 Iraq MH1

composed of overworked officials, could accomplish little. The Amending Law passed in 1942 to the Labour Code of 1936 began to bear fruit; it provided for improved conditions for women workers, the prohibition of child labour, paid holidays, compensation for injuries, and arbitration of labour disputes. Under the Pachachi Ministry a beginning was made with the establishment of Labour Exchanges—the more necessary as the release of workers from British military employment was already creating unemployment. A number of hopeful trade unions were organized, including those of weavers, shoe-makers, oil workers, cigarette makers, and a half-dozen less important; all were directed by organizers whom underground Communism made every effort to seduce. Committees were set up to produce standard scales of wages and conditions. The growing self-consciousness of urban workers, whose greatest concentrations were in the oil companies, railways, and Port, was shown by a 'Rights of Workmen' movement which demanded a newspaper devoted to its interests, an insurance system, and wage-arbitration boards. A railway-workers' strike in April 1945 ended only with heavy-handed suppression of strike and union alike; examples were thenceforward to be frequent of the organization of strikes among workers for political purposes with little regard to their actual grievances.

An important step, long in contemplation yet not without its dangers, was the passage of major amendments to the Liwā Administration Law; the effect was to confer greater powers on local officials and Provincial Councils, and thus to facilitate local development and improved services. A revision of the Civil Code was at the same time decided, and a delegation from Baghdad spent most of 1945 in Cairo in consultation with Egyptian jurists.

Concurrently with the departure, at the end of the war, of a number of the few surviving British officials, steps were taken to recruit from Great Britain or Egypt the new experts—technical, medical, or educational—for whom the period now opening would call. An effort, of no great forcefulness, was made to eradicate corruption from the body of officialdom. Army reform in 1945 showed good results with the forced retirement of some scores of inefficient but well-befriended officers; rearmament proceeded in aircraft, vehicles, and artillery from British stocks, though not without misunderstandings and reproaches; and a marked rise in standards of training, quartering, equipment, and service conditions was observed. The Army, well supported by the Regent, began in fact again to approach a condition in which active operations could be attempted. In the Police, which appeared to have lapsed somewhat but not tragically from their old high standards, the strength of the force was increased from 10,500 in 1939 to

3: Clark S-5 (1950)1951 MH1 Iraq MH1

Programmes of study, especially those for the rural and agricultural schools, need much thought and study by those who administer them. Ultimately, local development plans for advance towards compulsory schooling will need most careful consideration. These vital tasks cannot be undertaken adequately until the Ministry of Education is relieved of much of its present stifling day-to-day detail.

THE CREATION OF LOCAL EDUCATION AUTHORITIES

As was indicated in the preceding chapter, one of the significant social and educational developments in Iraq is the growth of local interest in education which is accompanied by some vigorous local administrative initiative and a preparedness to find money for local development. This suggests that, quite apart from the Ministry of Education being able to clear its own decks for action by passing on much of the details of administration to the provincial education officers, there exist in the localities valuable means by which a policy of advance towards compulsory education could be facilitated.

A movement in the direction of enlisting the aid of the provinces in the increase of educational provision was considered a few years ago. Under the Provincial Administration Law of 1945, a General Provincial Council was established in each province. It was empowered, in a limited way, to levy local taxes to support various local services, including some aspects of education. For one reason or another, the exercise of these local taxing powers in relation to education appears to have been restricted by the administrative action of the central Government departments. It is understood, however, that a more vigorous attempt is about to be made to give the General Provincial Council in every province wider powers of control over education up to and including the primary schools.

It is to be hoped that, when this transfer of certain powers to the General Provincial Councils takes place, it will be done in such a way that local interest in education is given full opportunity. It would be a great aid to local desire for educational powers and advance if each General Provincial Council were instructed to create amongst its members a Provincial Education Committee to which would be delegated the task both of controlling local primary schools and of developing primary education. There can be no doubt from conversations which have taken place that local people are anxious to exercise these powers. There is equally no doubt that, with some exceptions, the Provincial Directors of

3: Clark S-5 (1950) 1951 MH1 Iraq MH1

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Education would, if the transfer of control from the centre were effected by stages and with adequate advice, be able to serve their Provincial Education Committees well.

One great advantage of giving local representatives control of their primary schools would be that it would enhance the increasing local interest which is being taken in educational affairs. Increased local control, with the power both to levy local taxes in addition to the existing voluntary contributions, would also help to spread the burden of educational expenditure which is so essential to development. Further, as will be suggested later, these Provincial Education Committees might after a time provide the machinery for preparing detailed plans for local provision of compulsory education.

It is very much to be hoped that this opportunity of establishing Local Education Authorities will be neither lost nor frustrated, because it may well be that it will provide the only suitable arrangement both for ascertaining local needs and for raising the additional monies which will be required from local sources before compulsory education can ever become a reality. This hope needs to be reiterated because it is understood that although the Government have the proposal under active consideration, it is not popular in certain sections of the Ministry of Education. Apparently some of the senior officials fear that the transfer of primary education functions from the centre to the localities would jeopardize existing educational arrangements. Such fears may or may not be justified. It is, however, part of the democratic process to provide local governing bodies with the opportunity of learning from the mistakes they may make. In any event, if one of the main sources of additional revenues for education is to be found in the provinces, it is only appropriate that those who are to find the money should have their say as to the way it is to be used.

THE FINANCING OF THE NEW EDUCATIONAL ARRANGEMENTS

Sharing of National and Local Expenditure—a Grants System. On the assumption that the proposed transfer of powers in respect of primary education from the Ministry of Education to Local Education Authorities will take place, early consideration will have to be given to the financing of education under the new arrangement. If the Provincial Education Committees are to be created, it is essential that, through the General Provincial Councils, they should be given the power to levy local taxes for education, both to augment existing voluntary contributions and

44:Matthews and Akrawi S, G-3 (1945-1946)1949 MI Middle East
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The Educational Missions Section has charge of the affairs of students selected for study abroad at government expense and keeps records of all students who study abroad at their own expense.

The Medicine and Hygiene Section[1] safeguards the health of the school children. It inspects school buildings, conducts regular health examinations of pupils, treats those who suffer from diseases, trains teachers in first aid and simple treatments, propagates health information, and supplies schools with drugs and first-aid materials. In addition, it gives physical examinations at government expense to all teachers and officials entering the service of the Ministry of Education and all students entering the various schools and colleges. This section has set itself the task of fighting the three endemic diseases—trachoma, malaria, and bilharziasis—prevalent among school children. In 1943–44, 67,415 pupils out of the total public-school registration of 104,359 were examined; and of those examined, 16,599 were found to have trachoma, while 3,253 suffered other eye diseases; 5,864 had malaria, and 1,299 had bilharziasis. Treatment of those afflicted with bilharziasis resulted in steady improvement. The fight against trachoma has proceeded systematically, and the percentage of school children suffering from it is being reduced. Much effort has been expended on the campaign against malaria in all the provinces. The Medicine and Hygiene Section began very humbly in 1931 with the appointment of one doctor. By 1942–43 it had twenty-one doctors, two dentists, ten women nurses for the provinces, and more than seventy other health workers. In 1943–44 it maintained twenty-nine clinics throughout the country, and more recently a special hospital for students was established in Baghdad. Treatment at the clinics and at the hospital is free.

Provincial Directors of Education

There is a provincial director of education for each of the fourteen provinces of Iraq. He is responsible to the Director General for the proper functioning of all schools and educational institutions in his province with the exception of teacher-training colleges, some of the vocational and special schools, and higher institutions; these exceptions are the direct concern of the central office of the Ministry. It is the function of the provincial director to make sure that teaching in the schools within his jurisdiction is in accordance with accepted syllabuses, to supervise the behavior of teachers and education officers in his province, and to carry out instructions of the Director General. The regulations of 1945 provide for provincial advisory education councils under the chairmanship of the governor and with the director of education as secretary. These councils

[1]-[Of the Ministry of Education.—Analyst]

44:Matthews and Akrawi S, G-3 (1945-1946)1949 Ml Middle East
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were to act in an advisory capacity, reviewing the educational situation in the province and making proposals for the improvement and extension of education.

However, a new Provincial Administration Law, passed by Parliament in 1945, effective early in 1946, provides for a general provincial council in each province to meet yearly in the month of March. The councils are empowered to levy local taxes to support various local services, such as the opening of technical classes and schools, the teaching about industries that will fit the local needs, the establishment of agricultural schools, and the founding, administration, and supervision, according to the provisions of the Public Education Law, of primary schools and of schools for workers and illiterates. It is not yet clear what the relation will be between the provincial educational councils, provided for by the regulations of the Ministry of Education, and the general provincial councils provided for in the new Provincial Administration Law.

The inspectorate

Side by side with the administrative service is the inspectoral service headed by a chief inspector responsible to the Director General. Inspectors are of three kinds: specialized inspectors, provincial inspectors, and women inspectors. Those in the first category are specialists in subject-matter fields who visit classes and teachers in their own fields in intermediate and secondary schools, teacher-training colleges, and special schools on the secondary-school level. They report on the performance of individual teachers, as well as on the general situation with regard to textbooks, library books, equipment, and laboratories. There is also a specialized administrative inspector who inspects the general administration of the school systems of the provinces.

Provincial inspectors make their headquarters in the education offices of the provinces and visit primary and secondary schools, but not technical schools or teachers colleges. In the secondary schools these inspectors have to ask the help of specialized inspectors in matters concerning the various subject-matter fields. Provincial inspectors are under the jurisdiction of the chief inspector and are independent of the provincial director of education. Women inspectors visit and report on girls schools, under the direction of a first woman inspector.

Inspectors' reports are sent to the chief inspector with copies to the provincial directors of education, and the substance of the reports is sent to the individuals about whom the reports are made. The chief inspector presents semiannual reports to the Director General of Education, de-

57: Davis S-4 (no date)1953 Ml Middle East
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of expenditure arising out of treaties approved by Parliament, or the Constituent Assembly, unless approved by the King.

Art. 107. Should the new financial year have begun before the promulgation of the Budget Law relating thereto, and should Parliament have assembled, the Minister of Finance shall submit a draft law containing provisional budget estimates for a period not exceeding two months. On the expiration of the period covered by such estimates, the Minister of Finance may submit a fresh draft law of a similar nature. This procedure may be repeated on such occasions as may be necessary. Should Parliament not be sitting, the budget of the preceding year shall be followed without prejudice to the right of issuing the ordinances referred to in Article 102.

Art. 108 *(as amended October 27, 1943)*. The coinage of the State shall be determined by law.

Part VII

Administration of the Provinces

Art. 109. The administrative districts of Iraq, their classes, names, manner of institution, the powers of the officials and their titles shall be prescribed by a special law.

Art. 110. The law referred to in the preceding article shall provide that steps shall be taken in certain of the administrative divisions to ensure the performance of any obligations relating thereto, arising out of treaties concluded by the King and approved by Parliament or the Constituent Assembly.

Art. 111. Municipal affairs in Iraq shall be administered by means of Municipal Councils in accordance with a special law. In the administrative divisions, Administrative Councils shall perform such duties as may be prescribed for them by law.

Art. 112. Each Community shall have the right of establishing Councils in important administrative districts, competent to administer buildings and properties dedicated to waqfs (pious foundations) and bequests for charitable purposes. They shall be competent to deal with the collection of income derived therefrom, and the expenditure thereof, in accordance with the wishes of the donor or with the custom in use among the Community. Such Communities shall also undertake the supervision of the property of orphans in accord-

57:Davis S-4 (no date) 1953 MI Middle East
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642 ance with law. The Councils referred to above shall be under the
635 supervision of the Government.

PART VIII

CONFIRMATION OF LAWS AND JUDGMENTS

642 Art. 113. Ottoman Laws published before November 5th, 1914,
671 and laws published on or after that date and which have remained in force in Iraq up to the time of the publication of this law, shall remain in force in Iraq so far as circumstances permit, subject to any modification or repeal in conformity with the proclamations, regulations and laws referred to in the following article, and until they are altered or repealed by the legislative power, or the High Court issues a decision rendering them null and void in accordance with the provisions of Article 86.

Art. 114. All proclamations, regulations and laws issued by the Commander-in-Chief of His Britannic Majesty's Forces in Iraq, the Civil Commissioner, and the High Commissioner, and those issued by the Government of His Majesty King Faisal, during the period between November 5th, 1914, and the date of the coming into force of this Constitution, shall be considered to be valid as from the date on which they came into force. Any portion thereof still unrepealed by that date shall remain in force until changed or repealed by the legislative power, or until the High Court issues a decision rendering them null and void, in accordance with the provisions of Article 86.

Art. 115. Every person shall be considered to be released and exempt from all claims relating to any acts performed by him in good faith in conformity with instructions issued by the Commander-in-Chief of His Britannic Majesty's Forces in Iraq, the Civil Commissioner, the High Commissioner, the Government of His Majesty King Faisal, or by an official duly authorised thereunto, whether in a military or civil capacity, with a view to the suppression of hostilities, the establishment and consolidation of order and public security, or the carrying out of orders issued in accordance with martial law between November 5th, 1914, and the date of the coming into force of the Constitution. Every act referred to in this article shall be considered to have been done in good faith, unless the complainant can furnish proofs to the contrary. Any action or judicial

4: Barth E-5 (1951) 1953 MAI Iran
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marriage takes place. The marriages exogamous with respect to the close kinship group — few in any case — will among the Hamawands be with Hamawands of other villages. Thus a caste separation

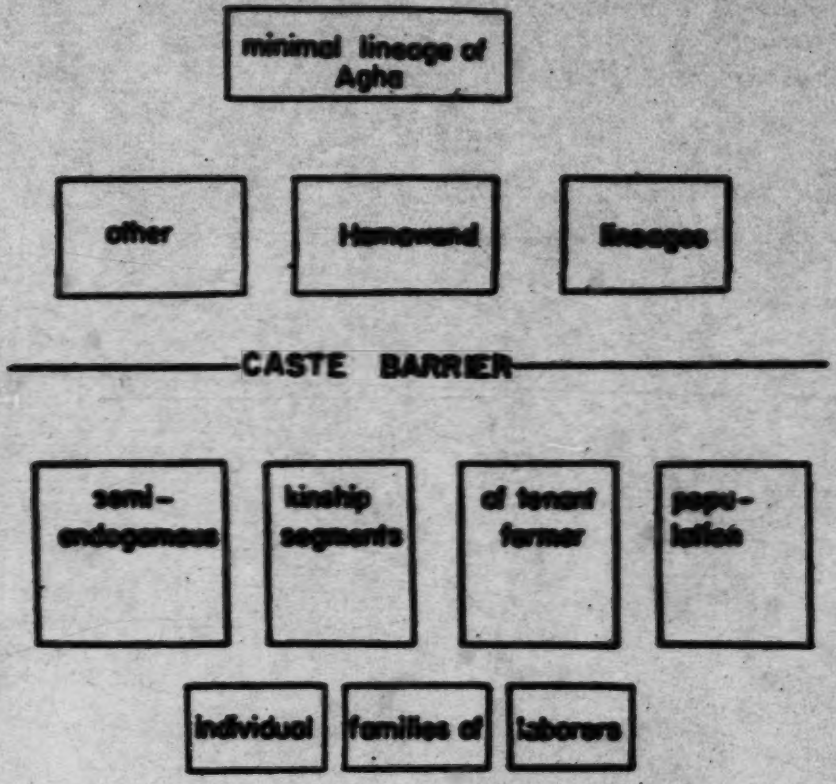

Diagram No. 5. Organization of composite village.

tends to grow up, separating the Hamawand effectively from the Meskjin group, and the composition of the local group might be schematically represented as in diagram No. 5.

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One of the composite Hamawand- Meskjin villages was studied briefly. However, due to increased tensions connected with the app-

4: Barth E-5 (1951) 1953 MAI Iran
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roaching review of their case in the Land Settlement Comission[1]), when claims and counter-claims would come to a head, it was impossible to obtain detailed census material.

The village in question was conquered some 40 years ago by a segment of the Rashawand Hamawands, and lies at present on the very edge of Hamawand territory. Villages to the north of it, formerly under Hamawand control, have lately torn themselves lose.

The total population is ca. 100 individuals; of them, 5—6 households are Hamawand, 15—20 households *Meskjin*, subjected tenants, and there are a few families of laborers. The Hamawand faction is led by an *Agha*; the *Meskjin* are led by the *kikha* (official headman of the village). The latter is descended from the former headman, and was elected by the majority of the villagers, so in the face of government approval, the Hamawands had to accept him. Between these factions there has been no intermarriage.

The conflict in this village is related to that in the neighboring village, to which, according to the *Meskjin* version, the Hamawands wish to extend their privileges. The balance of power between the two factions seems at present to be quite labile. The *Meskjin* have been gaining ground through a slowly rising standard of living whereby rifles and ammunition have become increasingly available to them, and through the growing mediating effects of external administration. To fully understand the present tensions, one rule of the Land Settlement Comission which is to review ownership claims shortly should be noted: Where conflicting claims are advanced, any party who has for the last 10 years regularly collected tax on the land is regarded as the de-facto owner. It is thus vital for the Hamawands to retain their power, and for the *Meskjin* to break that power, before the Land Settlement Comission arrives on the spot.

To this end, the factions are mobilizing all available mechanisms.

[1]) The Land Settlement Comission, established during the British mandatory period, is a court of claims relating to questions of land tenure. Coordinated with a comprehensive program of mapping, its object is systematically to cover all agricultural land, and definitively settle and register proprietory rights (cf. Dowson 1931).

4: Barth E 5 (1951) 1953 MA1 Iran
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Unless a certain sum of money is paid, all young male citizens of 702
Iraq are liable to two years of military training and service. This is k
much resented by most villagers, and they attempt to avoid being 621
called up. According to the *Meskjin*, the Hamawands have an arran- 578
gement with the police whereby they give the names of all *Meskjin* men in the two village who are liable for such service, in return for being left in peace themselves. Thus, it is said, the fighting strength of the *Meskjin* is constantly kept down.

The *Meskjin*, on the other hand, are accused of manipulating the religious brotherhood of Derwishes for political purpose, so as to organize all the *Meskjin* of the neighboring villages in a movement of resistance. To counteract this influence, the Hamawand *Agha* is at pains to expose the derwishes as fraudulent, and attempts to enhace the position of the local mullah, the recognized leader of the local mosque. — The final verdict, however, rests with the Land Settlement Comission, an institution the integrity of which few persons choose to question.

The rigidity of the Kurdish tribal system is here clearly illustrated, 171
and might profitably be contrasted to that of the Nuer, as described 619
by Evans-Pritchard (1940). The Nuer have, in spite of extensive conquests and various vicissitudes, retained a system of patrilineal *exo*gamous lineages as the basis of their political organization. These lineages however are *not* corporate localized groups, but are conceptually identified with certain areas, where they tend to form the organizing core of the local villages. Through a system of adoption of conquered Dinka tribesmen to specific lineages, and by reckoning descent through females, a larger community is built around this core, based on «sociological» kinship. Among the Kurds, on the other 619
hand, the general practice of FaBrDa marriage and other close family endogamy makes any initial *rapprochement* impossible between conqueror and conquered, and encourages caste separation. Furthermore, kinship through female links is given no political recognition. The principle of «sociological» kinship is unfamiliar and would be in conflict with Islamic doctrine — the kinship terminology describes actual, genealogical distance, and practices of adoption into lineages would be unacceptable. The only way two groups could fuse in the

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The Nomads. In addition to the permanent settled inhabitants of the three areas here discussed there are certain nomadic groups who move seasonally from one area to another and even out of the district altogether. These nomads are again in many respects a distinct cultural group; their economy is based exclusively on pastoralism as opposed to the pastoral-agriculturalism of the settled peoples. The largest of the nomad tribes are the Herki. They are normally resident in Persia near the southernmost end of Lake Urmia. These high altitudes cannot provide sufficient fodder for their herds throughout the year and during the late autumn the bulk of the tribe migrates down the Rowandus river and spreads out through the foothills (Area B) and the northern fringe of the plains. They return to Persia with the melting of the snows in the late spring. I have no first hand evidence concerning these people and the second hand evidence appears to be both fabulous and contradictory. There is reason to think that their tribal organisation at the present time functions more perfectly than that of the settled groups, presumably owing to less government interference. They possess definite grazing rights in certain areas, even in districts nominally under the control of settled groups* though in other areas they pay some sort of rental for the right to herd their flocks. Their migration is linked with important trade activities. They bring salt with them from Persia to Iraq, and take back wheat and barley. Wool is disposed of on the Erbil market as well as large numbers of their livestock. The duty-free import of salt is of course strictly illegal but is winked at by the authorities. It was reported in the summer of 1938 that the Persian authorities intended to compel the Herki to adopt a settled habitat. It is thus unlikely that it will ever be possible to determine the precise position of this group in the political and economic organisation of the Kurdish area as a whole.

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In my field work I stayed nearly all the time in villages occupied by members of the Soran and Balik tribes (see Map 2).

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*The Iraq government authorities are able to carry on all negotiations with the Herki through the agency of a single paramount Agha, this despite the fact that the tribe itself scatters into small family groups throughout a very wide area; this seems to imply a high degree of tribal integration. During the summer of 1938 a law case was proceeding between the Agha paramount of the Herki and Jemil Agha of Bahrika (Gerdi tribe) as to whether the former need pay any rent to the latter for the grazing rights of what appeared to be Gerdi land. Jemil Agha complained to me bitterly that the Herki seemed likely to win their case owing to their greater wealth and resources for corruption. The case however establishes the point that they might claim traditional grazing rights in land seemingly within the sphere of influence of permanently settled groups.

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Apart from these two non-tribal villages, all the groups in the Balik and Dergala areas are at least 95% pure Kurdish. The intrusive element is provided by a few Jews and Assyrian Christians who as a rule carry on some special trade such as weaving or carpentry and are thus tolerated as useful members of the community.

Method of Analysis.

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As is clear from what has already been said, the tribal organisation of the various groups throughout the area under review have all to a greater or less degree been effected by contact with, and interference by the external administrative authority. If we go so far as to assume that at one time there was a form of social organisation which could be regarded as the typical norm for all the hill tribes of this region, it is certain that such a norm can nowhere now be found functioning in its complete state. Kurdish society as it exists today is a society undergoing extremely rapid and at times violent social change. As we shall see there are powerful and perhaps irresistable forces at work tending not so much to the modification as to the total destruction and disintegration of existing forms of tribal organisation. In such circumstances, in order to make the description intelligible at all, some degree of idealisation seems essential. In the main therefore I shall seek to describe Kurdish society as if it were a functioning whole and then show up existing circumstances as variations from this idealised norm. I am aware that such a method makes the resulting description to some extent subjective and that on many points I have not the empirical data to check the validity of my hypothetical norm. In the circumstances however it appears to be the most reasonable procedure to adopt.

The External Administration

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The precise form of the external administration has no very direct bearing on the Kurdish social system as described in this monograph. But at various points in the argument especially in the section dealing with economic problems reference will have to be made to elements in the administrative organisation, and it seems desirable therefore to give first a brief description of the functions and relationships of the various members of this external organisation.

The administrative system of Iraq has been developed out of that of the old Ottoman Empire. The terminology remains in many respects unaltered. The whole of the Kurdish area here under

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discussion lies within the Province (liwa) of Erbil. *The civil head of the liwa is Mutasarrif who is directly responsible for the police administration and the magistracy and indirectly for such social services as Health, Education, Agricultural Reform etc. The tax organisation is closely associated with the police and also comes under the administration of the Mutasarrif. Outside his control however are the military and the judiciary.

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Within the field of our discussion the social services of the government are very limited, though the education system is worthy of note. There are primary and secondary schools at Erbil and a primary school at Rowandus. There was for a while a secondary school also at Rowandus but this was closed following a nationalist strike by the students who demanded to be taught in the Kurdish language instead of Arabic. For obvious economic reasons these schools effect only a very small stratum of society - the sons of important Aghas and town merchants. Some of the larger villages have in addition a paid government teacher. Though the intention is good, the practice is less so. The wages offered and the facilities for advancement are so poor that only the very poorest type of indolent scholar offers himself for such posts. In the Balik area anyway the experience of government education has so far proved unfortunate. The current opinion seemed to be that all government education officers are moral perverts. Two examples serve to show the basis for such an attitude. The only schoolmaster among the Balik at the time of my visit was attached to the village of Rayat. Formerly he had been attached to the village of Rust where he had married one of the Agha's daughters; this lady he had now divorced or rather deserted and the Agha of Rust was suing him in the courts for maintenance. In Rayat he had seduced the daughter of the Mulla and to avoid scandal had now married her, but this in itself was a scandalous proceeding since the Mulla and the schoolmaster are regarded as enemies by nature - (since from the traditional viewpoint education is the Mulla's chief function). In another case which is described more fully later the Agricultural Adviser of Walash was murdered,

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* At the time of my visit the post of Mutasarrif of Erbil was held by Ahmad Beg i Taufiq Beg, a Kurd from the relatively sophisticated district of Sulaimani, a man of great intelligence and personal integrity. I am directly indebted to him for the facilities and assistance which enabled me to carry out this piece of field work, the more especially since his own political position at the time was somewhat delicate. Being related by marriage to the chiefs of the Pizdah tribes, at that time in revolt, he was regarded with a certain amount of suspicion by some of the Arab elements in the Baghdad government. This fact, coupled with a mild reputation for being pro-British - by no means a desirable sentiment in modern Iraq, - made my request for travel facilities a decided inconvenience. In the circumstances his help was deeply appreciated.

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probably at the instigation of the Agha, because he was held to have corrupted the morals of the youth. 11 K 609

Health services need not concern us. In the area studied there is no resident doctor outside the city of Erbil. 758

The Government have made various experiments in agricultural reform chiefly with a view to improving the breed of livestock and the quality of valuable crops such as tobacco. The Government's interest in the improvement of the tobacco crop is especially relevant to the area here described. Details will be discussed later but it may be pointed out that Government assistance of this kind is not a philanthropic enterprise. The heavy excise duty levied on all saleable tobacco much more than repays any expenses incurred. Iraq 695 K 249

The independent judiciary functions through its court in Erbil. In practice however it is in the nature of appeal court, since in the first instance cases come before the Mudir (sub-district magistrate) and then before the Qa'im Maqam (district magistrate) before being referred to the court. I am not clear as to the rules governing "appeal" of this sort, nor as to the limits of sentence that can be imposed by the magistrates' courts. So far as I know, only serious cases such as homicide automatically go before the court at Erbil. Iraq 635 692

During time of peace the military are stationed only at Erbil and Rowandus. There appears to be a general attitude of suspicion and conflict as between the civil and the military authorities. In this area the civil service is staffed mainly by Kurds and Turks and is thus in general inclination Kurdo-phil. The army on the other hand is staffed mainly by Iraqi-Arabs whose hatred and fear of the "barbarous Kurd" can be taken for granted. 635 701 K 578

The liwa is divided into several districts (khasa) each presided over by a district magistrate (Qa'im Maqam). Area A, Map 1 with which this account is mainly concerned lies wholly within the khasa of Rowandus. The Qa'im Maqam is responsible for his district in much the same way as the Mutasarrif is responsible for his liwa. Iraq 635

The khasa in turn is subdivided into several sub-districts (nahiya) over which presides a Mudir. The Balik tribe all reside within the nahiya Balik - the administrative district in this case coinciding with the tribal one. Dergala on the other hand is administered from Rowandus.

The Mudir has in his direct control a number of policemen who provide the direct liaison between the external authority and the tribe. It is the venality of these junior officials which is the worst feature of the system, and which is the real source of Iraq 635 625

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Government unpopularity among the tribes. Hay describes the gendarmerie of his time as "hardened ruffians without training and without principles; they used their authority to commit innumerable extortions". It does not appear that the position is much changed today.

"Below the Mudir there should be in each village a Mukhtar, his functions being basically those of registrar and tax collector. Among the hill Kurds the Mukhtar is invariably the Agha of the village concerned and the term is little used.

This summarises briefly the normal functions of the various elements of Government within the area under discussion. A more dynamic view of the interaction between Government and tribe will emerge in the course of what follows.

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* Iraq has had conscription since Turkish times and nominally all Kurds are liable for military service. It is part of the duties of the Mukhtar to record births and report to the Mudir the names of those liable for service. Until very recently however no real records have been kept, so to avoid military service it was merely necessary to produce suitable presents for the right people at the right moment. Contrarywise military service provides the Agha with a convenient means of getting rid of undesirable characters. That at least summarises the position as outlined to me by my interpreter. But I obtained no figures as to the actual numbers conscripted.

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464 late June and threshing proceeds steadily from July to October. The
241 much smaller rice harvest comes about the end of September. With less wheat and no rice, threshing could be finished by mid-september leaving labour free for the main work of the tobacco harvest. On the other hand the tobacco plant requires a good deal of finicky attention during the early stages of its growth which coincide with the wheat harvest. It is possible therefore that any radical increase in the tobacco cultivation is dependant upon the introduction of improved methods of threshing. A much greater difficulty arises from the fact that the change in labour requirements would not be equally distributed as between different households. Whereas at present each household has approximately the same programme of work, the situation would be greatly complicated if one man's land was devoted to tobacco and his neighbour's only to wheat. The difficulty could be avoided if all the tobacco cultivation were 'owned' by the Agha; - the commoner being under obligation to work for his Agha but not for a fellow commoner. Such a development would never be countenanced by the Government however since the system would be regarded as "exploitation" of the tribesman by his chief."

249 Capital. The additional capital required for tobacco as opposed
Iraq to cereal cultivation is not very significant. The Government is
635 prepared to supply seed and expert advice; so far as I know the process
654 of drying does not require any special technical apparatus. The re-organisation of the irrigation system would of course be an initial 'capital' expenditure for the community concerned.

Technique. On the other hand the mere statement that Government is prepared to offer expert advice rather oversimplifies the social aspects of the technical problem. I have already mentioned that the native Kurdish tobacco cured in the traditional manner results in a powdery substance that is quite useless for the purposes of a modern factory. In order to produce a marketable product, the farmer has to be taught entirely new methods. The reformer is here up against several types of difficulty. Firstly there is a simple conservative resistance, the dislike of new methods, not simply because they are new but because the practitioner in the old methods thinks he knows best. But there are other difficulties of a much more intricate kind. Here is an example.

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249 The Government are prepared to supply approved villages with a
609 trained expert to supervise the growing and harvesting of tobacco.
Iraq Such a man was supplied to the village of Walash. He was a Kurd, but a
635 townsman from the plains and by mountain standards a man of low moral
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* In Batas, where in functional terms the Assyrian Bishop takes the place of the Agha, the tobacco crop is owned by the Church, and difficulties over individual labour requirements thus avoided. But then a Christian Bishop is obviously not the same thing as a tribal Agha!

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character; it was alleged that he corrupted the villagers with alcohol and gambling and attempted to seduce their daughters, in particular the Mulla's daughter, in fact he was altogether a scoundrel. In due course he was found in the high road with two bullets through his body. The police took action. Two harmless looking nomads from another tribe were brought before the courts and on the basis of somewhat elaborate circumstantial evidence convicted of murder. Sentence however was never carried out since the "criminals" curiously disappeared a few days after the trial. Whatever was the truth of this matter, local rumour had no doubts on the subject. The bullet wounds, the arrest and conviction of the nomads were all a frame up by the police, who had the sense not to fish in troubled waters. The murdered man had really died of strangulation - hanged in the Guest House of Sheikh Mohammad, Agha of Walash and chief of the Balik.

This story was told me by Hamid Amin of Haqurtan who was always eager to cast a slur on his cousin Sheikh Mohammad. It appeared however to have some general currency since, when I was discussing the misdemeanours of the local schoolmaster with the Agha of Rayat, he referred to the Walash story. "These small Government servants! What do you expect? They're all scoundrels".

Whether the story is true or not is irrelevant, its effect among the Balik is the same as if it had been true. Even though Sheikh Mohammad's prestige is not so great as formerly, the fact, or even the rumour, that he had to hang his first and only agricultural adviser is a sufficient deterrent for any lesser Aghas who may be contemplating agricultural reform within their own communities. This example brings out well how a problem which on the surface is purely economic may in practice be effected by a mass of seemingly irrelevant considerations in the field of ethics, tribal law, politics and religion.

To sum up then. We have seen how the necessity for developing an export trade implies the necessity for increasing the tobacco acreage at the expense of cereal acreage, and I have tried to analyse out the forces of resistance which serve to prevent any immediate response to this incentive. Nevertheless the incentive is clearly very great. I was told for instance in Batas that whereas in the old days the crops of the entire village had been worth barely £50 in cash, the tobacco sales in 1937 alone totalled £2,500. I believe therefore that in the hills also some radical alteration in the emphasis of agriculture must take place in the near future.

But it must be recognised that any such development must bring about fundamental changes both in the ideology of the people and of their social organisation. As things are, the hill country farmer sets out first of all to grow sufficient food for himself and his family. Only when he is assured of that does he turn his attention to the cultivation of luxury products such as tobacco. In short he aims at